

DIEMER & WEI, LLP

Kathryn S. Diemer (#133977)
100 West San Fernando Street, Suite 555
San Jose, CA 95113
Telephone: 408-971-6270
Facsimile: 408-971-6271
Email: kdiemer@diemerwei.com

WILLKIE FARR & GALLAGHER LLP

Matthew A. Feldman (*pro hac vice*)
Joseph G. Minias (*pro hac vice*)
Benjamin P. McCallen (*pro hac vice*)
787 Seventh Avenue
New York, NY 10019-6099
Telephone: (212) 728-8000
Facsimile: (212) 728-8111
Email: mfeldman@willkie.com
jminias@willkie.com
bmccallen@willkie.com

*Counsel for Ad Hoc Group of Subrogation
Claim Holders*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

**All papers shall be filed in the lead case, No.
19-30088 (DM)*

Case No. 19-30088

Chapter 11

(Lead Case)

(Jointly Administered)

**STIPULATION RE: THE PRODUCTION
OF CURRENT ADDRESS
INFORMATION FOR INSUREDS**

[No Hearing Requested]

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 The Official Committee of Tort Claimants (the “TCC”), any fiduciary, if any,
3 appointed to represent wildfire victims who have not yet filed proofs of claim (the “Claims
4 Representative”) and the Ad Hoc Group of Subrogation Claim Holders (the “Ad Hoc
5 Subrogation Group” and, together with the TCC, the “Parties”), hereby reach the following
6 stipulation as to the production by the Ad Hoc Subrogation Group of certain information related
7 to their insureds.

8 **STIPULATION**

9 WHEREAS on November 12, 2019, the United States Bankruptcy Court for the Northern
10 District of California entered its Order Extending Bar Date for Fire Claimants and Appointing
11 Claims Representative [Dkt. 4672], by which the Bankruptcy Court extended the claims bar date
12 for Fire Claimants to December 31, 2019, and appointed Michael Kasolas as Claims
13 Representative, tasked among other things with locating potential Fire Claimants who have not
14 filed proofs of claim in these bankruptcy cases;

15 WHEREAS the TCC has requested that the members of the Ad Hoc Subrogation Group
16 provide current address information for their insureds to the Claims Representative and TCC in
17 order to assist the Claims Representative in his efforts to locate potential claimants who have
18 not yet filed proofs of claim in these bankruptcy cases (the “Requested Purposes”);

19 WHEREAS it would impose a significant burden on the TCC in terms of both time and
20 expense to attempt to obtain this Information from other sources;

21 WHEREAS members of the Ad Hoc Subrogation Group have agreed to make reasonable
22 efforts to provide contact addresses for insureds to the Claims Representative and TCC (the
23 “Information”), while requiring that certain limitations be placed on the use of that Information;
24 and

25 WHEREAS those efforts are limited to providing address information for insureds
26 reasonably obtainable from electronic databases available with insurers, to the extent such

1 information exists;

2 THEREFORE the TCC, the Claims Representative, and the Ad Hoc Subrogation Group
3 agree as follows:

4
5 **1.** The Ad Hoc Subrogation Group, the Claims Representative and the TCC agree
6 to the Order regarding the Production and Use of the Insureds' Information, filed concurrently
7 with this Stipulation. Specifically, the Parties agree that the TCC may use the Information for
8 the Requested Purposes.

9 **2.** The Information will be shared only with counsel for the TCC, the TCC's
10 professionals retained in these bankruptcy cases, or the Claims Representative, and the Claims
11 Representative's support staff, vendors or professionals for the Requested Purposes. Any
12 documents or spreadsheets produced that contain the Information for Requested Purposes shall
13 be designated "PROFESSIONAL EYES ONLY" for TCC Counsel, professionals, and the
14 Claims Representative.

15 **3.** The TCC and the Claims Representative agree that the Ad Hoc Subrogation
16 Group will receive drafts of any notifications they plan to send to insureds using the Information,
17 and that the Ad Hoc Subrogation Group will have an opportunity to review and comment on
18 those drafts.

19 **4.** The Information will not be shared with counsel for the individual plaintiffs, the
20 interests of which are represented by the TCC.

21 **5.** The Information will be used solely for the Requested Purposes and will not be
22 used for any other purpose, including but not limited to attorney advertisement, solicitations, or
23 promoting claims against insurers.

24 **6.** The production of the Information by the Ad Hoc Subrogation Group is
25 conditioned on the Bankruptcy Court entering a finding in its Order approving this Stipulation
26 determining that there is a compelling need for the production of the Information that outweighs
27 any privacy interest the insureds may have in that Information.

28 **7.** The members of the Ad Hoc Subrogation Group will undertake reasonable efforts
to provide such Information and shall not be held responsible in any way if any of the

Information is incorrect or incomplete. The Ad Hoc Subrogation Group reserves all rights to object to any additional requests for insured information on any and all grounds.

8. In agreeing to provide the Information, the members of the Ad Hoc Subrogation Group act reasonably, in good faith and are advancing and protecting the interests of their insureds.

9. Nothing in this Stipulation or the Order approving this Stipulation shall diminish or alter the obligations of the members of the Ad Hoc Subrogation Group set forth in the Order (I) Establishing Deadline for Filing Proofs of Claim, (II) Establishing the Form and Manner of Notice Thereof, and (III) Approving Procedures for Providing Notice of Bar Date and Other Information to All Creditors and Potential Creditors (Dkt. No. 2806) entered on July 1, 2019, which obligations remain in full force and effect.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation or enforcement of this Stipulation.

So stipulated:

Dated: November 18, 2019

WILLKIE FARR & GALLAGHER LLP

/s/ Benjamin P. McCallen

Matthew A. Feldman (*pro hac vice*)

Joseph G. Minias (*pro hac vice*)

Benjamin P. McCallen (*pro hac vice*)

Joseph G. Davis

Antonio Yanez, Jr. (*pro hac vice*)

787 Seventh Avenue

New York, NY 10019-6099

Telephone: (212) 728-8000

Facsimile: (212) 728-8111

Email: mfeldman@willkie.com

jminias@willkie.com

bmccallen@willkie.com

jdavis@willkie.com

ayanez@willkie.com

1 **DIEMER & WEI, LLP**

2 Kathryn S. Diemer (#133977)
3 100 West San Fernando Street, Suite 555
4 San Jose, CA 95113
5 Telephone: 408-971-6270
6 Facsimile: 408-971-6271
7 Email: kdiemer@diemerwei.com

8 *Counsel for Ad Hoc Group of Subrogation Claim Holders*

9 Dated: November 18, 2019

10 **BAKER & HOSTETLER LLP**

11 /s/ Kimberly S. Morris

12 Kimberly S. Morris (SBN 249933)
13 Cecily A. Dumas (SBN 111449)
14 Robert A. Julian (SBN 88469)
15 1160 Battery Street, Suite 100
16 San Francisco, CA 94111
17 Telephone: 628.208.6434
18 Facsimile: 310.820.8859
19 Email: kmorris@bakerlaw.com
20 Email: cdumas@bakerlaw.com
21 Email: rjulian@bakerlaw.com

22 Eric E. Sagerman (SBN 155496)
23 David J. Richardson (SBN 168592)
24 Lauren T. Attard (SBN 320898)
25 BAKER & HOSTETLER LLP
26 11601 Wilshire Blvd., Suite 1400
27 Los Angeles, CA 90025-0509
28 Telephone: 310.820.8800
Facsimile: 310.820.8859
Email: esagerman@bakerlaw.com
drichardson@bakerlaw.com
Email: lattard@bakerlaw.com

Counsel to the Official Committee of Tort Claimants

Dated: November 18, 2019

MICHAEL G. KASOLAS

/s/ Michael G. Kasolas

Michael G. Kasolas
Claims Representative